



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3635
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#19
12-1-03

In Re the application of:

Applicant: Robert K. Smith
Serial No.: 09/809,307
Filed: March 16, 2001
Title: FREE FLOATING SUB-FLOOR PANEL
Our Ref: T8464854US
Examiner: Horton, Yvonne Michele
Art Unit: 3635

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

To: The Commissioner of Patents and Trademarks
Washington, DC, 20231
U.S.A.

Date: November 11, 2003

Further to Applicant's response after final dated November 6, 2003, Applicant is filing this Supplemental Information Disclosure Statement in the above case to draw to the Examiner's attention art which was just brought to Applicant's attention in the context of Canadian litigation.

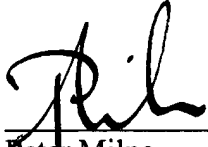
As the number of pages involved is somewhat excessive for facsimile transmission, Applicant has forwarded a confirmation copy of the Statement along with copies of the cited references to its U.S. filing service by courier for hand delivery to the United States Patent and Trade Office.

Should the case be in condition for allowance, Applicant respectfully requests that the Examiner await receipt of the additional references. Although Applicant does not believe any of the references to be any more pertinent than those already cited, Applicant would like to avoid having to refile the application in order to have the references considered.

Thank you for your assistance.

Respectfully submitted,

ROBERT K. SMITH

A handwritten signature in black ink, appearing to read 'P. Milne', written over a horizontal line.

Peter Milne

Registration No. 34,534

Telephone: 416-862-5790

PM:hcu

Enc.

[TOR_LAW\5551039\1]

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.

T8464854US

In Re Application Of: **SMITH, Robert K.**

Serial No.

09/809,307

Filing Date

March 16, 2001

Examiner

Horton, Yvonne Michele

Group Art Unit

3635

Title: **FREE FLOATING SUB-FLOOR PANEL****RECEIVED**

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Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
T8464854US

In Re Application: SMITH, Robert K.

Serial No.
09/809,307

Filing Date
March 16, 2001

Examiner
Horton, Yvonne

Group Art Unit
3635

FREE FLOATING SUB-FLOOR PANEL

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 07-1750 as described below.
- ☒ Charge the amount of \$180.00
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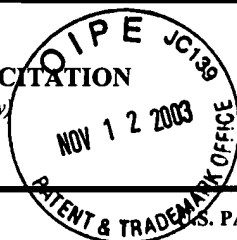
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Dated: 11 Nov 2003

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(Use several sheets if necessary)



09/809,307

SMITH, Robert K.

March 16, 2001

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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Brochure, Delta-Flooring, Cosella/Dorken 02/96
 Brochure, Fuktspårren, Det Finns En Lösning På Gardagens Och Morgondagens Fuktproblem, Dorken 98.08
 Samlingsbroschyr Och Monteringsanvisning
 Brochure, Building Products Worth A Second Look, A Hanley-Wood, Inc. Publication, May/June 1999
 Installation Guide, Delta-Fl, Keeping Floors Warm & Dry, Cosella/Dorken, 04/98

**Brochure, Delta-MA, Air-Gap/Drainage Membrane, Cosella/Dorken
Davison, Brian Installation Manual & Specification Guide, Delta Membrane Systems Ltd., 1992**

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.